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9 AT&T PENSION BENEFIT PLAN - NONBARGAINED PROGRAM and AT&T, INC.

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20

21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA
23 SAN FRANCISCO DIVISION

24 WILLIAM GRAHAM,

25 Plaintiff,

26 vs.

27 AT&T PENSION BENEFIT PLAN -
28 NONBARGAINED PROGRAM; AT&T,
INC.; and DOES 1-10,

Defendants.

CASE NO. 11-CV-4085 TEH

**THIRD STIPULATION TO EXTEND THE
DEADLINE FOR PARTIES TO HOLD AN
EARLY NEUTRAL EVALUATION;
[PROPOSED] ORDER**

[ADR L.R. 5-5]

Complaint Filed: August 15, 2011

29 CASE NO. 11-CV-4085 TEH

30 LEGAL_US_W # 70750152.1

31 THIRD STIPULATION TO EXTEND DEADLINE
32 TO HOLD EARLY NEUTRAL EVALUATION;
33 [PROPOSED] ORDER

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1 Pursuant to ADR Local Rule 5-5 and Civil Local Rule 7, the Parties stipulate and jointly
 2 move for an order from the Court to move the Early Neutral Evaluation (“ENE”) deadline
 3 previously set for March 9, 2012 to April 16, 2012, and for relief from the deadlines associated
 4 with that conference.

5 WHEREAS:

- 6 1. On or about November 14, 2011, the Parties selected ENE for the resolution of this case.
- 7 2. By order dated November 15, 2011, the Court previously scheduled ENE and set the deadline
 for the ADR session as 90 days from the date of the order, or February 13, 2012.
- 8 3. At the Parties’ preliminary ENE telephone conference held on January 23, 2012, the Parties
 and the ENE Evaluator discussed and agreed to extend the ENE to March 1, 2012 to
 accommodate the Parties’ schedules.
- 9 4. By order dated January 30, 2012, the Court rescheduled the ENE deadline to March 1, 2012.
- 10 5. The Parties reached an agreement in principle to settle, and wish to have more time to
 continue to finalize and document their agreement, prior to the ENE. Counsel for the
 Defendant spoke with the ENE Evaluator on February 23, 2012 about this rescheduling
 proposal, and the ENE Evaluator confirmed his consent to an extension.
- 11 6. By order dated February 27, 2012, the Court rescheduled the ENE deadline to March 9, 2012.
- 12 7. Due to scheduling conflicts and complexities that have arisen in documenting the settlement
 since the date of the court’s last ENE rescheduling order, the Parties request that the court
 extend the deadline to hold the ENE by 37 additional days so the Parties may confer and
 finalize and document their agreement prior to the ENE.
- 13 8. Rescheduling the ENE will further the interests of judicial efficiency and conserve resources,
 as the settlement process may obviate the need for the ENE.

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1 IT IS HEREBY STIPULATED by and between the parties hereto that the ENE be
2 rescheduled from March 9, 2012 to April 16, 2012.
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4 Dated: March 6, 2012

PAUL HASTINGS LLP

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6 By: _____ */s/ Patrick W. Shea*
PATRICK W. SHEA

7 Attorneys for Defendants
8 AT&T PENSION BENEFIT PLAN – NONBARGAINED
PROGRAM and AT&T, INC.
9

10 Dated: March 6, 2012

MARIN LEGAL, PC

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12 By: _____ */s/ Roger P. Rozek*
ROGER P. ROZEK

13 Attorney for Plaintiff
14 WILLIAM GRAHAM
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1 [PROPOSED] ORDER

2 PURSUANT TO STIPULATION, IT IS SO ORDERED that the deadline for the Parties
3 to hold an Early Neutral Evaluation (“ENE”) session is hereby rescheduled from March 9, 2012
4 to April 16, 2012. All deadlines associated with that conference are hereby reset.

5 DATED: 03/07, 2012

6 By:



7 HON. THELTON E. HENDERSON
8 United States District Court

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